



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

*Caption in Compliance with D.N.J. LBR 9004-1(b)*

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*Counsel to the Official Committee of Unsecured Creditors*

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

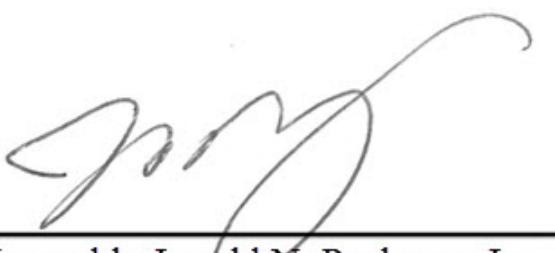
Hon. Jerrold N. Poslusny, Jr.

**AGREED STIPULATION AND CONSENT ORDER AMONG THE DEBTOR AND  
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

The relief set forth on the following pages numbered two (2) through four (4) is hereby  
**ORDERED.**

**DATED: December 7, 2021**

128518450.1

  
Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

Aluminum Shapes, LLC (the “Debtor”) and the Official Committee of Unsecured Creditors (the “Committee” together with the Debtor, the “Parties”) through their undersigned counsel stipulate (this “Stipulation”) and agree to the following:

WHEREAS, on August 15, 2021 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”).

WHEREAS, effective as of August 30, 2021, the Office of the United States Trustee for Region 3 (the “U.S. Trustee”) appointed five members to the Committee pursuant to section 1102(a) of the Bankruptcy Code. The members of the Committee are: (i) Public Service Electric and Gas Company, (ii) Energy Power Investment Company, LLC (EPIC), (iii) Indigo Global, LLP, (iv) Nathan H. Kelman, Inc., and (v) Southeastern Extrusion & Tool, Inc.

WHEREAS, pursuant to section 1121 of the Bankruptcy Code, absent extension, the Debtor’s 120-day exclusive period to file a plan of reorganization expires on December 13, 2021 and its exclusive period to solicit acceptances of a plan would expire on February 11, 2022 (together with the 120-day period, the “Exclusive Periods”).

WHEREAS, on November 23, 2021, the Debtor filed the *Debtor’s Motion for Entry of an Order to Extend Debtor’s Exclusive Time to File A Plan of Reorganization and Solicit Acceptances* (the “Exclusivity Motion”) [D.I. 290] and respectfully submits as follows seeking to extend the Debtor’s exclusive period for an additional sixty (60) days to February 11, 2022, and seeking to extend the exclusive right to solicit acceptances for another sixty (60) days thereafter until April 12, 2022.

WHEREAS, on November 23, 2021, the Debtor also filed an *Application for Order Shortening Time* (the “Application”) [D.I. 291] seeking to have the Exclusivity Motion heard on an expedited basis so that the motion is decided before the Debtor’s exclusivity period expires on December 13, 2021.

WHEREAS, the Court granted the Application and set an objection deadline for the Exclusivity Motion as December 6, 2021 at 3:00 PM (EST) and set a hearing on the Exclusivity Motion for December 7, 2021 (the “Hearing”) [D.I. 292].

WHEREAS, after negotiations and discussions between the Parties, the Exclusivity Periods shall be extended as set forth herein.

**IT IS ON THIS 6<sup>TH</sup> DAY OF DECEMBER, 2021, ORDERED, ADJUDGED, AND  
DECREEED that:**

1. Pursuant to section 1121 of the Bankruptcy Code, (i) the Debtor’s 120-day exclusive period to file a plan of reorganization shall be extended through and including January 14, 2022; and (ii) the Debtor’s exclusive period to solicit acceptances of a plan shall be extended through and including March 15, 2022 (the “Extended Exclusivity Periods”).

2. This Stipulation is of no force and effect unless and until this Stipulation is approved by the Bankruptcy Court.

3. Nothing in this Stipulation shall in any way affect, alter, modify, waive, amend, release, or terminate any rights of the Parties, except as expressly set forth herein.

4. The Bankruptcy Court shall retain jurisdiction with respect to all matters arising out of, related to, or in connection with the implementation of this Stipulation and any order thereon.

5. The Debtor reserves the right to seek a further extension of the Exclusivity Periods and the Committee reserves the right to object thereto.

Agreed and Approved this 6<sup>th</sup> day of December, 2021.

*/s/ Joseph J. DiPasquale*

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*/s/ Edmond M. George*

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In re:  
Aluminum Shapes, L.L.C.  
Debtor

Case No. 21-16520-JNP  
Chapter 11

District/off: 0312-1  
Date Rcvd: Dec 09, 2021

User: admin  
Form ID: pdf903

Page 1 of 3  
Total Noticed: 3

The following symbols are used throughout this certificate:

**Symbol** **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 11, 2021:**

| <b>Recip ID</b> | <b>Recipient Name and Address</b>   |
|-----------------|---|
| db              | + Aluminum Shapes, L.L.C., 9000 River Road, Delair, NJ 08110-3204   |
| aty             | + Michael D Vagnoni, Obermayer Rebmann Maxwell & Hippel, LLP, 1120 Route 73, Suite 420, Mount Laurel, NJ 08054-5109 |
| aty             | + Obermayer Rebmann Maxwell & Hippel LLP, 1120 Route 73, Suite 420, Mount Laurel, NJ 08054-5109                     |

TOTAL: 3

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 11, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 9, 2021 at the address(es) listed below:

| <b>Name</b>               | <b>Email Address</b>  |
|---------------------------|---|
| Ana Parikh                | on behalf of Interested Party Residential Fences Corp. ana.parikh@rivkin.com<br>matthew.spero@rivkin.com;stuart.gordon@rivkin.com |
| Andrew Katz               | on behalf of Defendant Martin J. Walsh katz.andrew@dol.gov  |
| Anthony B. Stumbo         | on behalf of Creditor Tiger Finance LLC astumbo@riemerlaw.com   |
| Buffy L. Wilson           | on behalf of Interested Party New Jersey Department of Environmental Protection buffy.wilson@law.njoag.gov                        |
| Catherine B. Heitzenrater | on behalf of Creditor CHUBB COMPANIES cebeideman@duanemorris.com  |

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Total Noticed: 3

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District/off: 0312-1

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Form ID: pdf903

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Total Noticed: 3

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TOTAL: 54